

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION
OF THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX
REFUND SCHEME LITIGATION

MASTER DOCKET

18-md-2865 (LAK)

This document relates to: 18-cv-09797¹
18-cv-10100
18-cv-05053

**AFFIDAVIT OF MICHAEL R. CRETA IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

Michael R. Creta, being duly sworn, hereby deposes and says:

1. I am an attorney at the law firm of K&L Gates LLP, located at State Street Financial Center, One Lincoln Street, Boston, Massachusetts 02111.
2. I submit this affidavit in support of my Motion for Admission Pro Hac Vice, in which I seek to appear as counsel for (i) Defendants Newsong Fellowship Church 401K Plan; Alexander Jamie Mitchell III; and Acer Investment Group, LLC in the above-captioned lead case (Civ. No. 18-md-2865) and the related case (Civ. No. 18-cv-10100), (ii) Defendant Acer Investment Group, LLC in the lead case (Civ. No. 18-md-2865) and the related case (Civ. No. 18-cv-05053), and (iii) Defendants Kamco Investments, Inc. Pension Plan; Kamco LP Profit Sharing

¹ SKAT's actions first filed in Utah federal court were consolidated and then transferred to this Court for pretrial purposes only. The above-captioned related action, 18-cv-09797, comprises the following actions: *SKAT v. DW Construction, Inc. Retirement Plan*, 18-cv-09797 (S.D.N.Y.); *SKAT v. Kamco Investments Inc. Pension Plan*, 18-cv-09836 (S.D.N.Y.); *SKAT v. Kamco LP Profit Sharing Pension Plan*, 18-cv-09837 (S.D.N.Y.); *SKAT v. Linden Associates Defined Benefit Plan*, 18-cv-09838 (S.D.N.Y.); *SKAT v. Moira Associates LLC 401K Plan*, 18-cv-09839 (S.D.N.Y.); *SKAT v. Riverside Associates Defined Benefit Plan*, 18-cv-09840 (S.D.N.Y.); and *SKAT v. American Investment Group of New York, L.P. Pension Plan*, 18-cv-09841 (S.D.N.Y.).



Pension Plan; Linden Associates Defined Benefit Plan; Moira Associates LLC 401K Plan; Riverside Associates Defined Benefit Plan; American Investment Group Of New York, L.P. Pension Plan; DW Construction, Inc. Retirement Plan; Joan Schulman; David Schulman; Robert Crema; Darren Wittwer; Louise Kaminer; Stacey Kaminer; and Acer Investment Group, LLC in the lead case (Civ. No. 18-md-2865) and in the related case (Civ. No. 18-cv-09797).

3. I am a member in good standing of the Bar of the Commonwealth of Massachusetts. Attached as Exhibit A to this affidavit is a true copy of the Certificate of Good Standing issued by the Supreme Judicial Court of the Commonwealth of Massachusetts.

4. I am a member in good standing of the Bar of the State of Rhode Island. Attached as Exhibit B to this affidavit is a true copy of the Certificate of Good Standing issued by the Supreme Court of Rhode Island.

5. I have never been convicted of a felony.

6. I have never been censured, suspended, disbarred or denied admission or readmission by any court.

7. There are no pending disciplinary proceedings against me in any state or federal court.

Michael Raymond Creta

Signed on 2020/06/23 11:05:18 -5:00

Michael R. Creta

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

ss:

Subscribed and sworn to before me by means of online notarization this 23rd day of June, 2020 by Michael R. Creta who produced Massachusetts Driver License No. S20997703 as identification.



David Peter Baghdassarian

Signed on 2020/06/23 11:05:18 -5:00

Notary Public, State of Florida



EXHIBIT A

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **eighteenth** day of **November** A.D. **2015**, said Court being the highest Court of Record in said Commonwealth:

Michael Creta

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **eleventh** day of **June**

in the year of our Lord **two thousand and twenty**.



A handwritten signature in black ink, appearing to read 'Maura S. Doyle', written over a horizontal dotted line.

MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.
X3116

EXHIBIT B



Supreme Court of Rhode Island
Providence

*The State of Rhode Island and
Providence Plantations*

This Certifies that

*Michael Raymond Creta
of Boston, MA*

*is an Attorney and Counselor of the Supreme Court of
the State of Rhode Island, and as such was on the 29th day
of November, 2015 admitted to practice in all the courts of
said state as appears of record in the Office of the Clerk of
the Supreme Court and is in good standing and qualified to
practice in said courts.*

*Given under our hands and the seal of said Supreme Court
at Providence this the 25th day of June, 2020.*

Debra A. Saunders

Clerk